

ENTERED

November 23, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

KERRY YOUNG JR.,

Plaintiff,

VS.

RAY GUEVERA, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:19-CV-356

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

Before the Court is Magistrate Judge Julie K. Hampton's Memorandum and Recommendation (M&R). (D.E. 16). The M&R recommends that the Court deny Plaintiff's Motion for Declaration for Entry of Default Judgment against Defendants (D.E. 14) because Defendants timely filed a responsive pleading and, as such, Plaintiff is not entitled to default judgment. (D.E. 16, p. 2); *see* FED. R. CIV. P. 55(a).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* U.S.C. § 636(b)(1); FED R. CIV. P. 72(b); General Order No. 2002-13. Plaintiff timely filed objections to the M&R. (D.E. 18). Having carefully reviewed the proposed findings and conclusions of the M&R, the record, the applicable law, and having made a de novo review of the portions of the M&R to which Plaintiff's objections were directed, 28 U.S.C. § 636(b)(1), the court **OVERRULES** Petitioner's objections. (D.E. 18). Accordingly, the Court **ADOPTS** the M&R in its entirety (D.E. 16) and Plaintiff's Motion for Declaration for Entry of Default Judgment against Defendants (D.E. 14) is **DENIED**.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'DSM', is written over a horizontal line.

DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas
November 23, 2020